Remarks

The Final Office Action rejected claims 1, 7, and 15 under 35 U.S.C. 103 as unpatentable over Kahle (USP 6,212,542) in view of Belkin (USP 6,373,848). Claim 1 recites " a first thread ... to process a first incoming block of data within a network packet received at a port of a media access control device" and "a second thread ... to process a second incoming block of data within the network packet ... prior to the first thread completing processing of the first incoming block of data". The Final Office Action (which incorporates the rejection reasoning provided in the Office Action mailed 8/30/2007) does not state what in Kahle or Belkin is being equated with the first or second incoming block of data or why the combination of Kahle in view of Belkin describes a second thread to process the second block of data prior to the first thread completing processing of the first block of data. Nor does the Final Office Action state what in Kahle or Belkin is being equated with moving the blocks of data to the locations in memory. Under 37 CFR 1.104 (see MPEP 707), "when a reference is complex or show or describes inventions other than that claimed by the applicant, the particular part relied on must be clearly designated as nearly as practicable. The pertinence of each reference, if not apparent, must be clearly explained". In this case, merely identifying the processor architecture of Kahle (FIG. 4) or concurrent thread (FIG. 6) execution is not sufficient to communicate what in Kahle or Belkin is being equated with the recited elements of the entire claim. Similarly, the Final Office Action does not address each limitation of claim 7 or 15. For example, the Final Office Action does not address the recitation of claim 7 that recites "processing a first portion of the network packet" and "simultaneously processing the second portion". Accordingly, Attorney for Applicant respectfully requests much greater articulation of the rejections or their withdrawal.

The Final Office Action also rejected claim 8-14, 18, 20-21 as merely consisting of non-functional descriptive material. The MPEP (section 2106.01) describes non-functional descriptive material as including "music, literary works and a compilation or mere arrangement of data". Attorney for Applicants does not understand the limitations of these claims as falling into these sample categories of non-functional descriptive material or like ones. Accordingly, Attorney for Applicant respectfully requests much withdrawal of these rejections.

Finally, with respect to the remaining claims, the Final Office Action does not address each claim limitation in its entirety. For example, the Final Office Action rejected claims 16-17 which recite instructions by stating the system of Kahle has instructions also. However, while Kahle does have instructions, that mere fact does not address the limitations of claims 16 or 17 which recite what the instructions cause the processor to do. In other words, merely stating that Kahle has instructions does not suffice to identify a portion of Kahle that teaches instructions to "provide ... state information to transmit circuitry". Likewise, the Final Office Action rejected claim 3 stating that retrieving and storing state information is well known. However, this does not address all claim elements (e.g., the first thread, the second thread recited in claims 1 and 3). Similarly, the Final Office Action rejected claims 4 and 5 stating that "memory pointer is nothing but a counter". However, this rejection does not address including of the pointer in state information and use of the pointer indicating where to move the first and second incoming blocks of data. That is, Applicant is not claiming the invention of the concept of a memory pointer, Applicant is claiming its use as recited. Similar arguments apply to the reasoning of the Final Office Action rejection of the remaining dependent claims. Accordingly, due to the absence of a statement why each element in each claim is either present in the prior art or obvious, Attorney for Applicant respectively request withdrawal of the rejections of the dependent claims.

With respect to the pending rejection under s. 112, Attorney for Applicant disagrees that the claims are unclear. For example, claim 1 recites "a first thread ... to process a first incoming block of data ... to move the first incoming block of data to a first location in memory". In other words, the "to move..." language describes operation of the first thread processing as indicated by a plain reading of the claim. For similar reasons, Attorney for Applicant respectfully requests withdrawal of the 112 rejection of each of the claims.

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Respectfully submitted,

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